

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 2777  
)  
Danish et al. ) Examiner: Choules, J.  
)  
Serial No.: 09/384,303 ) Attorney File No.: 89282-00003  
)  
Filed: 08/26/99 )  
)  
For: "METHOD AND SYSTEM FOR EXECUTING A GUIDED PARAMETRIC SEARCH

RECEIVED

APR 03 2001

## RESPONSE TO NOTICE OF ABANDONMENT

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Dear Sir:

## CERTIFICATE OF MAILING 37 CFR 1.8

I hereby certify that this document and any documents indicated as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231

on: March 22, 2001

By:   
Name: Jean A. Burns

Enclosed in this communication please find:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b);
2. Statement establishing unintentional delay;
3. Submission of formal drawings;
4. Check in the amount of \$1,240 for the petition fee; and
5. Return postcard.

STATEMENT ESTABLISHING UNINTENTIONAL DELAY

Attorneys for Applicant, Gibson, Dunn & Crutcher LLP, took over prosecution of this patent application from the law firm of Wilson Sonsini Goodrich & Rosati, receiving their file for this patent application on June 19, 2001 in our San Francisco, California office. On or around the end of July or the beginning of August, 2000, an Issue Fee Transmittal and Notice of

Allowability was received in our San Francisco office from the USPTO. On August 4, 2000, a letter was sent from the San Francisco office to our client, Saqqara Systems, Inc., the assignee of the patent application, including either the original or a copy of the Issue Fee Transmittal and Notice of Allowability.

On or around the middle of August, 2001, the San Francisco office forwarded the file for this case to the attention of Stanley J. Gradisar at the firm's Denver office for further prosecution. In reviewing the file, Mr. Gradisar could not find a copy of the Issue Fee Transmittal or the Notice of Allowability. Mr. Gradisar contacted the San Francisco office on several occasions inquiring about the missing Issue Fee Transmittal and Notice of Allowability. The original nor any copies could not be located in the San Francisco office. Mr. Gradisar sent a letter to Saqqara Systems, Inc. on October 4, 2000 requesting a copy of these documents, based on the August 4, 2000 letter in the file. However, in a subsequent follow up phone call placed by Mr. Gradisar to Saqqara Systems, Inc., Mr. Gradisar learned that the documents in question could not be found.

On October 25, 2000, Mr. Gradisar submitted a Fee Transmittal and a check for \$1,240 to pay the issue fee for this application. The return postcard for this communication was received back from the USPTO bearing the date of October 30, 2000. On February 26, 2001, the San Francisco office received a Notice of Abandonment, dated February 12, 2001, from the USPTO. The reason cited for abandonment was failure to timely file new formal drawings as required in the Notice of Allowability. Since Mr. Gradisar did not have the original or a copy of the Notice of Allowability, he was not aware of the requirement contained therein for submission of formal drawings, and the failure to include formal drawings along with the payment of the issue fee was unintentional.

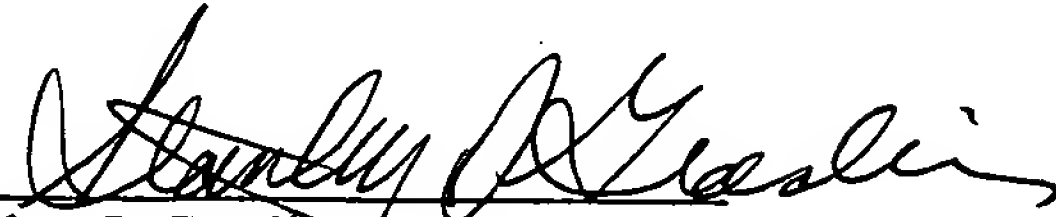
Since receiving the notice of abandonment, Mr. Gradisar has had several telephone conversations with Examiner Jack Choules and Chief Draftsperson Bridgett Gray regarding filing this petition for revival and submission of formal drawings. On behalf of Applicant, the attorneys for Applicant request that this petition for revival be granted.

SUBMISSION OF FORMAL DRAWINGS

Enclosed herewith are the formal drawings for the above-captioned matter, comprising 30 sheets.

Respectfully submitted,

Gibson, Dunn & Crutcher LLP

By:   
Stanley J. Gradisar, Esq.  
Registration No. 42,598  
1801 California St., Suite 4100  
Denver, CO 80202-2641  
(303) 298-5786

Date: March 22, 2001

60064042\_1.DOC